

Practitioner's Docket No. 1406/37

CHAPTER II

IN THE UNITED STATES ELECTED OFFICE (EO/US)

PCT/EP00/06698 (U.S. Serial
No. 10/030,605) 13 July 2000 (13.07.00) 13 July 1999 (13.07.99)
International Application No. International Filing Date Priority Date Claimed

DESIGN OF BETA-PLEATED SHEET PROTEINS WITH SPECIFIC BINDING PROPERTIES

Title of Invention

Scil Proteins GmbH; Fiedler, Ulrike; Rudolph, Rainer
Applicant(s)

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231
ATTENTION: EO/US

COMPLETION OF FILING REQUIREMENTS
FOR INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL STAGE
IN U.S. ELECTED OFFICE (EO/US) UNDER 35 U.S.C. § 371

This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.495 (FORM PCT/DO/EO/905).

A copy of FORM PCT/DO/EO/905 accompanies this response.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

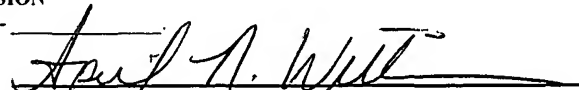
I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231
37 C.F.R. § 1.8(a) 37 C.F.R. § 1.10*
☐ with sufficient postage as first class mail. ☒ as "Express Mail Post Office to Addressee"
Mailing Label No. ET871448955US (mandatory)

TRANSMISSION

- ☐ facsimile transmitted to the Patent and Trademark Office, (703) _____


Signature

Date: 31.5.02

April N. Williams

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

DECLARATION OR OATH

- I. No original declaration or oath was filed. Enclosed is the original declaration or oath for this application.

FEES

II.

1. Surcharge fees

Surcharge set forth in 37 C.F.R. section 1.492(e) for accepting the declaration later than 30 months after the priority date in filing an application in the U.S. as a designated office.

\$65.00

2. Assignment Recordation Fee

\$40.00

Total Fees \$105.00

SMALL ENTITY STATUS

- III. An assertion that this filing is by a small entity was made by paying the basic national fee as a small entity.

10/02/2002 LLANDGRA 00000082 500426 10030605

01 FEB04 65.00 CH

EXTENSION OF TIME

- IV. The proceedings herein are for a patent application. Accordingly, the provisions of 37 C.F.R. section 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

- V. The total fee due is:

Completion fee(s)

\$105.00

TOTAL FEE DUE \$105.00

PAYMENT OF FEES

VI.

Authorization is hereby made to charge the amount of \$105.00 to Deposit Account No. 50-0426.


Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this request is attached.

Date:

May 31, 2002

Reg. No.: 39,395
Tel. No.: 919-493-8000
Customer No.: 25297



Signature of Practitioner

Arles A. Taylor, Jr.
JENKINS & WILSON, P.A.
Suite 1400 University Tower
3100 Tower Boulevard
Durham, NC 27707
US

AAT/ajm



25297

PATENT TRADEMARK OFFICE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$105.00)

Complete if Known

Application Number 10/030,605
Filing Date January 9, 2002
First Named Inventor Ulrike Fiedler
Examiner Name
Group Art Unit
Attorney Docket No. 1406/37

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 50-0426
Deposit Account Name Jenkins & Wilson, P.A.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims Fee from below Fee Paid
Total Claims Independent Claims -20** = X =
Multiple Dependent Claims -3** = X =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	65.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	40.00
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$105.00)

SUBMITTED BY

Name (Print/Type) Arles A. Taylor, Jr.

Registration No. (Attorney/Agent) 39,395

Complete (if applicable)

Telephone 919-493-8000

Signature

Arles A. Taylor, Jr.

Date

05/31/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

"Express Mail" mailing number ET871448955US
Date of Deposit 31.5.02
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, PO Box 2327, Arlington, VA 22202
April M. Williams

April M. Williams

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Fiedler and Rudolph

Group Art Unit: Not Assigned

Serial No.: 10/030,605

Examiner: Not Assigned

Filed: July 13, 2000

Docket No.: 1406/37

Confirmation No.: 8368

For: DESIGN OF BETA-SHEET PROTEINS WITH SPECIFIC BINDING PROPERTIES

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35

U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

(DO/EO/US) FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE

AND/OR SEQUENCE DISCLOSURES

U.S. Patent and Trademark Office
BOX SEQUENCE
P.O. Box 2327
Arlington, VA 22202

Sir:

This is responsive to the Notification of Missing Requirements dated April 1, 2002, having a 2-month term that expires on June 1, 2002. Favorable reconsideration is respectfully requested in view of the following Remarks and substitute Sequence Listing submitted under 37 C.F.R. § 1.821-1.825.

REMARKS

Status Summary

A substitute Sequence Listing is enclosed herewith as a computer-readable formatted (CRF) disk. The contents of the CRF of the Sequence Listing are identical to the contents of the paper copy of the Sequence Listing enclosed herewith. A statement to the effect is also enclosed. No new matter

has been added. Thus, applicants believe this Response places the subject application into compliance with the requirements of 37 C.F.R. § 1.821-1.825. Applicants respectfully request that the substitute CRF Sequence Listing and paper Sequence Listing be entered into the subject application.

DEPOSIT ACCOUNT

Although it is believed that no fee is due, the Commissioner is hereby authorized to charge any deficiencies of payment associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS & WILSON, P.A.

Date: May 31, 2002

By: Arles A. Taylor, Jr.

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Durham, North Carolina 27707
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Arles A. Taylor, Jr.
Registration No. 39,395



25297

PATENT TRADEMARK OFFICE

1406/37 AAT/JB/ajm

Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/030,605	Ulrike Fiedler	1406/37

 25297
 JENKINS & WILSON, PA
 3100 TOWER BLVD
 SUITE 1400
 DURHAM, NC 27707

INTERNATIONAL APPLICATION NO.	
PCT/EP00/06698	
I.A. FILING DATE	PRIORITY DATE
07/13/2000	07/13/1999

CONFIRMATION NO. 8368

371 FORMALITIES LETTER



OC000000007726536

Date Mailed: 04/01/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR

THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 305-2936

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/030,605	PCT/EP00/06698	1406/37